



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of: :
:)
Jan Abraham VAN ASSELT :
:) Atty. Ref: 112134-00102
Serial Number: 09/582,556 :
:) Group Art Unit: 3711
Filed: August 22, 2000 :
:) Examiner: M. Aryanpour
For: BALL GAME APPARATUS :

COMMENTS ON REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Kindly enter the following comments on the Examiner's Reasons for Allowance in the record.

In paragraph 2 of the Notice of Allowability, the Examiner cites reasons for allowing claims 2-5, 7-19, 28-30, and 32-48. In particular, the Examiner contends that the reasons those claims were allowed is because the prior art does not show or suggest the combination of an apparatus having an inclined upper guideway, a generally inclined or horizontal lower guideway, a substantially inelastic reciprocating means connected to and freely moveable along the upper and lower guideways, a ball connected to the reciprocating means, a first and second upstanding stable support connected to either end of the upper and lower guideways, and wherein the lower guideway between the first and second upstanding stable supports is slack when the ball is at rest.

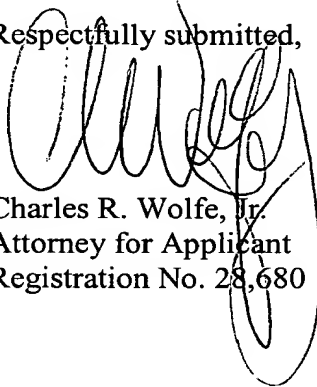
According to the Manual of Patent Examiner Procedures (MPEP), "The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth." MPEP sec. 1302.14. Thus, nothing should be drawn from the statement itself, other than what it explicitly states.

Applicant agrees with the Examiner's reasons that the claims are allowable over the prior art. However, Applicant respectfully submits that there are many other reasons that the

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claims are allowable over the prior art. For example, the prior art does not disclose or teach the above elements plus “wherein the maximum height of the inclined upper guideway above ground is greater than the length of the reciprocating means,” as recited in claim 2, or “wherein the upper and lower guideways are substantially parallel,” as recited in claim 3. Those are just two examples of additional reasons the claims are allowable over the prior art.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles R. Wolfe, Jr.', is written over the typed name and registration number.

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